## SPIDER KELLY A LIFE SAVER

NEARLY DROWNED KEEPING FAT ITALIAN LADY AFLOAT.

Hatled as a Hero From Tom Sharkey's to the Metropole-Celebration in Hartem, with Correctives for the Water He swallowed-Medesty and Gallantry

Mr. Spider Kelly sat in the back room of a Harlem lager dispensary last night sur-rounded by admiring friends and long heers, modestly deprecating the praise of the thirsty. Mr. Kelly had saved a life at the grave risk of his own in the morning and delegations of pugs and thickset, short haired gentlemen had gone all the way from O'Rourke's subway and the Metropole and Kid McCoy's and even Tom Sharkey's boozeorium to inform Mr. Kelly that he was a gentleman and a credit to the profession. Thereupon they would rap sharply upon the table and call upon the white aproned attendant to chase himself and give Mr. Kelly whatsoever he craved in the nature of cooling fluids.

In days gone by Spider was an authority on the vulnerability of the human frame. His left hook was a thing to beware of. He had an uppercut like the kick of a mule and his footwork was more worth spending four bits to see than a Spanish dancer's toe stunts. Mr. Kelly's lobster days are passed, though his glory has waned but little. One sees his name occasionally in print as towel shaker over Mr. Britt or the Battling Dane, but now he works for the city in the Street Cleaning Depart-His muscles are still good steel and his wind is A1, otherwise it wouldn't have gone well with Signora Filiemena La Borra.

The signora is the wife of a well to do grocer at 313 East 113th street. She is 50 years old and stout. For some weeks she has been a prey to deep melancholy. Yesterday morning she went to the pier at the foot of East 110th street, walking like a woman in a dream. When she got to the edge of the pier she knelt, said a prayer and jumped into the river head first. ' Mr Kelly was sweeping not far off and was considerably startled. There were other men about, but they didn't seem inclined to plunge into the chilly waters, and there was no time to go for a policeman. Spider shed his coat and dived in like an otter.

He got to Mrs. La Borra after the tide had gripped her and swung her down the river quite a distance. Spider gripped his long, thin hands in the woman's hair, but she fought him off and sank again. Spider took a long breath and went after her. Then they came up together, Spider with a strangle hold. Mrs. La Borra had plenty of breath left and she fought the little man like a tigress, screaming for him to let her go, that she wanted to die. Pretty soon most of Spider's strength went, but he was able to fight his way closer to shore. Then Policeman Nehill of the East 104th street station went to his assistance, together with John Goort of 2011 Second avenue. They pulled out Spider, who was about all in, and the woman, who was very angry because they wouldn't let her drown.

There were a lot of people on the pier by that time, and they wanted to shake hands with Spider and call him a hero, but Mr. Kelly was damp and unhappy and went to his home at 2413 First avenue to change clothes. The news got all over town, however, in short order, and when Mr. Kelly wandered into his favorite place of refreshment last night to speak his mind on the chances of Mr. Jabez White of London. England, against Mr. James Britt of San Francisco, Cal., in their coming fistfest, he found a little surprise party waiting for

Mr. Spike Sullivan, Mr. Bernstein, One Eyed Hannigan, Slippery Bill McGinnis and Mr. Murphy, the Harlem Bull Dog, were seated around a large table. They escorted the blushing Mr. Kelly to the seat of honor, and Mr. Sullivan made a happy little speech, telling Mr. Kelly that "i sin't a man's clothes wot makes him what he is or the cut of his mug or his schooling or any of them things; it's a brave Irish heart and good nerve." Mr. Kelly was further informed by One Eyed Hannigan that 100 ladies and gentlemen would drink to his health that night in O'Rourke's, while the professor at the piano tore off that splendid war song:

Remember, boys, you're Irish, and born on Irish soil; Your mother was a Kinney, and your father was a Doyle.

Mr. Kelly's response was neat and happy. "Wot t'ell youse guys are chewin' de rag about so strong beats me," said he. rag about so strong beats me," said he. "Youse don't suppose dat I was goin' to let de old gal go to de bottom without buttin' in meself, do you? There's a lot of mugs in this village and all over the bloomin' U.S. A. who ain't got no use for a gent dat makes his livin' puttin' up his dukes in the ring, but it don't make a man no less quick to go to a lady's help just because he's got to earn his meal tickets beating the mug off some bloke that thinks he's the real cheese." [Cries of "Hear, Hear" and "You're all right Spider" from Mr. Sullivan and One Eyed Hannigan.! "Anyway." Mr. Kelly concluded, 'I'd take shame I was Irish if I'd uded, "I'd take shame I was Irish if I'd een afraid to soak me clothes for a woman." Loud cheers greeted these remarks,

At that tense moment a messenger boy entered inquiring freshly if Spider Kelly was around the shop. He bore an enormous bunch of roses with a card a foot square dangling from it. Mr. Kelly took the roses and read the inscription on the card about

Spider, you're hot stuff. Come down to my blace and I'll buy. THOMAS SHARKEY. Bight on top of that came another messenger boy with a card of congratulations from Terry McGovern. Mr. Kelly was quite overcome by them and honest tears coursed down his manly cheeks.

coursed down his manly cheeks.

"There's a lot of Rubes been knockin'
me." wrote Mr. McGovern, "but I'm always
wise to a good sport and a real hero. You're
a credit to the Irish in America." Ringing cheers and a round on the house llowed Mr. McGovern's tribute to Mr. Kelly. One-eyed Hannigan made a dis-cord by crying into his beer over the un-happiness of Ireland, but he was sternly reproved by Mr. Sullivan, who told him gently he would take him out and punch his face off if he made another croak. A delicate word from Mr. Fitzsimmons ar-rived then, followed by a bunch of violets and a card from somebody. Mr. Kelly

vas observed to blush.

It was long after midnight when Mr. Kelly's surprise party broke up and his riends bade him good night, visibly affected. Schoes of the heroism of Mra Kelly were leard in the Tenderloin long after that, and the health of the ex-prizefighter and present White Wings was drunk en-thusiastically long after Raines law hours.

#### SCHOOL PRINCIPAL KILLED. H. C. Sawin of Newton May Have Been

Run Down by an Automobile. Boston, April 28.-Headmaster H. Chapin Sawin of the Bigelow Grammar School at Newton, who was injured yesterday afternoon in a bicycle accident on the Newton boulevard, died this morning. He was 62 years old and had taught in Newton public

chools for more than twenty-five years. The police are investigating the circumstances surrounding the accident, there being some reasons for believing that Mr. Sawin was run down by an automobile, and did not fall off his bleycle, as was at first supposed. In the opinion of several physicians it would have been almost impossible for Mr. Sawin to have received his injuries from a fall.

Winds.

For eastern Pennsylvanis, showers to day, with rising temperature; clearing and colder to more row; increasing south winds.

For western New York, rain and colder to day; showers to morrow; brisk south, shifting to west winds.

BANKRUPT BRIDEGROOM.

foung Cuddihy of Beston, Who Was Married Here Last Week , Files a Petition. Boston, April 28.-Francis A. Cuddihy, the young president of the J. J. Cuddihy stone company of this city, who was married to Miss Lillian Halligan in New York last Friday with the assistance of the City Hall reporters, filed a bankruptcy petition here o-day. His liabilities are placed at \$10,090 and assets uncertain. His counsel says he was unable to pay his personal debts and so sought relief in the bankruptcy

RUNAWAY BROKE UP FUNERAL. Chased by Hostler on Fast Horse-People

Hurt Getting Out of the Way. A funeral procession was trotting along Webster avenue. The Bronx, on its way from Woodlawn Cemetery, about 4 o'clock yesterday afternoon, when the pole of the econd carriage broke and jabbed the second carriage broke and jabbed the horses in the legs. They were young and green and took fright and were off like a shot down Webster avenue with the four occupants of the carriage, two men and two women, screaming for help. Charles Boesse, a hostler in Heitman's livery stable at Webster avenue and 201st street, saw the horses running away. He ran into the stable, threw a bridle on a fast stepper and rode after them bareback. fast stepper and rode after them, bareback. The funeral procession went all to pieces in the excitement, people climbing out of the carriages and taking to the street cars. At Webster avenue and 198th street, a trolley transfer station, there was a crowd waiting for cars when the runaways came along. Annie Mount, a six-year-old girl who lives in South Fourth avenue, Mount Vernon, was knocked down and injured and several in the crowd were hurt trying to get out of the way of the runaways and of Boesse who was going like a compuncher. At Park avenue and 189th street Boesse At Park avenue and 189th street Boesse caught up, grabbed one of the horses by the bridle and held on. He got the team stopped in another block.

William Wood of 283 Alexander avenue, his wife, daughter and cousin were in the carriage. All of them were suffering from fright, but were not injured otherwise.

KAMBER'S FRIENDS BESET JUDGE

He's Sentenced With Cohen for Interfering With Jury, Despite Appeals.

Leo Cohen, the juror, and Hermert L. Kamter, the law clerk, who were concerned in the attempt to hang the jury in the Hugh O'Donnell will case, were sentenced to the Elmira Reformatory by Judge Newburger in General Sessions vesterday. Kamber offered a bribe of \$5,000 to Cohen. In

sentencing them Judge Newburger said:

"This is the most remarkable case I have ever been called upon to dispose of in my fourteen years on the bench. Cohen, you were a juror in the Supreme Court in a contested will case. Kamber, you were a law student and it appears you get end in the supremental of the supremental terms. contested will case. Kamber, you were a law student, and it appears you entered into a conspiracy for a consideration to defeat the ends of justice. It has always been recognized that the crime of interfering with a jury is the most serious known in law. There appears to be no question as to your guilt. You have both made statements in writing and verbally that you are guilty.

cannot allow this opportunity to pass without saying a word as to the conduct of the numerous friends of the defendant Kamber. I have been a judge on this bench for nine years, and never before have I been so beset as I have been in this case by people interested in the defendant. They have waylaid me in the street; they have followed office and to my home; at public entertainment they have approached me, begging extreme clemency. I do not blame them, but it is in circct contrast to the other defendant. I want to say for Coben that no one has interceded in his behalf except the good kind gentleman who looks out for the spiritual welfare of Tombs prisoners."

BEAVERS SURRENDERS.

The Accused Ex-Postal Official Under

\$20,000 Bend to Appear May 2. George W. Beavers, former head of the division of salaries and allowances in the Post Office Department at Washington, D. C., appeared before Judge Thomas in the United States Circuit Court, Brooklyn, yesterday morning to arrange for his appearance for trial at Washington in connection with the postal frauds, the United States Supreme Court having determined that it would have to take place in that

When the mandate of the Supreme Court was filed in Brooklyn a few days ago Beavers, through his counsel, agreed to be on hand yesterday. The surrender was made on the \$10,000 bond furnished by Beavers on his appeal to the Supreme Court. His original bond of \$10,000 in connection with the indictments found in Brooklyn still remains in force and will

have to be renewed on June 12.

As two orders of removal to Washington had been received Judge Thomas fixed the bail at \$20,000, \$10,000 in each case. The bail was furnished by Henrietta A. Sedgwick, John W. McCormack, Allan A. Spence and Samuel H. Hornidge, all neighbors of Beavers in the Borough Park district. Panding its acceptance, Beavers. have to be renewed on June 12. neighbors of Beavers in the Borough Park district. Pending its acceptance, Beavers remained in the office of District Attorney Youngs in the custody of Deputy Marshal Caldwell, with whom he had a pleasant chat. Pierre M. Brown has been substituted for Morgan & Seabury as counsel for Beavers. Under the new \$20,000 bond Beavers will have to appear before the Supreme Court at Washington at 10 A. M., May 2.

MRS. PROVOST NOT IN RUNAWAY, Story of Her Rescue by a Man on a Polo Pony Incorrect.

HEMPSTEAD, N. Y., April 28 .- A story printed this morning that Mrs. Provost, wife of David Provost, a lawyer of Man-hattan, had been in a runaway accident at Mineola yesterday was incorrect. Mrs. Provost was not in the runaway.

Trolley Kills Brooklyn Boy.

Three-year-old Hugo Johnson, while playing near his home, 49 North Portland avenue. Brooklyn, yesterday morning was run over by a Park avenue trolley car and had his right leg almost cut off. He died soon after being taken to the Cumberlana Street Hospital.

A storm area, accompanied by high winds, was central north of North Dakota yesterda) and was preceded by frain in the upper Lake regions and in South Dakota. Rain also fell on the coast of Texas and, excepting cloudy and insettled conditions in the central valleys, elsewhere the weather was generally fair.

The temperature rose in the Lake regions. Ten-

nessee Valley, Gulf States, upper Mississippi and lower Missouri Valley. It was colder in the Middle Atlantic and New England States and in the extreme Northwest.

In this city the day was cloudy and cooler, wind resh to brisk east to southeast; average humidity, level, at 8 A. M., 29.87; 3 P. M., 29.88. The temperature yesterday, as recorded by the official thermometer, is shown in the annexed table:

1905. 1904. 1905. 55° 47° 6 P. M. . . . . 55° 56° 46° 9 P. M . . . . . 51° 86° 51° 12 Mid 51° Highest temperature, 60°, at 10 A. M. WASHINGTON FORECAST FOR TO DAY AND TO MORROW For easiern New York and New Jersey, showers day, with rising temperature; showers to morrow and cooler in interior; increasing south winds.

For Delaware, the District of Columbia and
Maryland, fair to-day, followed by showers in

the afternoon; fair and cooler to morrow; increas For New England, showers to day and to mo: row, with rising temperature on the coast and colder in the interior; increasing southeast to south

ROYAL ACADEMY EXHIBIT SEEN

ROYAL **Baking Powder** 

> Is easy to use and makes good things quickly.

ST. REGIS WANTS LETTER BACK. Brothers at Odds Over Advertising Scheme

Woman Arrested in the Waldorf. Frank Lloyd, who refused to give his resent address, and his wife, Aimée, a prepossessing young woman, were arrested vesterday afternoon and taken to Police Headquarters. Lloyd was locked up on a technical charge and his wife was let go. She gave her address as the Cadillac, where the couple were until Wednesday.

The arrest of the couple was at the instigation of the St. Regis Hotel management. The actual complainant is Mme. dressmaker, of 7 East Thirty-third street who says Lloyd obtained \$15 from her.

According to the hotel people, Harry C. Lloyd, brother of the prisoner, a short time ago on the strength of a letter of introduction from another hotel, got permission to get up a booklet describing the St. Regis. which was to have two pages of advertisements. Harry Lloyd got a letter from the manager of the hotel authorizing him

to solicit these. Two days ago Mrs. Frank Lloyd went to the hotel and, according to the police and Manager Gazley, represented herself as the wife of Harry C. Lloyd and said that she was going to help in getting out the St. Regis book. She asked for and received a letter authorizing her to solicit the advertisements. Armed with this letter, the rolice say, she and her husband the advertisements. Armed with this letter, the police say, she and her husband have gone to nearly every dressmaker on Fifth avenue trying to get advertisements and collect money. The police say Mrs. Lloyd offered to let one dressmaker have an advertisement in the booklet free of cost if she would make her a waist. They were to go buck there vesterday.

were to go back there yesterday.

In the meantime the brother had told
the hotel people that Frank C. Lloyd was not working with him and that they had not spoken in many years. Proprietor Hahn told his manager to inform the police at once and to get back the letter which the woman had received at all costs. Yesterday four Central Office detectives Yesterday four Central Office detectives were on watch outside the dressmaking place at 5:30 o'clock when Lloyd and his wife arrived. Lloyd submitted to arrest quietly, but his wife ran up Fifth avenue and into the Waldorf-Astoria, with two detectives at her heels Her arrest there caused much excitement. She was captured in the Palm Room. She said she had not the letter and her husband said the same thing. the same thing.
Mr. Hahn said last night:

"The brother of the prisoner simply offered to get up a book to be placed on the counter here in return for a page or two of advertisements in it. We agreed

two of advertisements in it. We agreed to this and gave him a letter.

"We have now recalled this letter and would like very much to get hold of the other letter, too. We made a demand for it before we had these people arrested the second of the second o to-day, but the young woman said her husband was in Chicago, and refused to give it to us. We have absolutely no in-The Lloyds, the police say, come from

CRIME CASTIGATED. Foreman Wallace Grant Reads an In-

dignant Grand Jury Presentment. The April Grand Jury of Kings county

nded its work yesterday, handing up five ndictments and some interesting literature Four of the indictments were for policy playing, the evil recently complained of by County Judge Aspinall, and one was for making book on horse races. The literature was the presentment,

which Foreman Wallace Grant read to the court, a somewhat unusual way. In reterring to the statements made to the Grand Jury by Police Magistrate Higginbotham on the subject of graft, the presentment expresses the jury's regret that it has not had time to investigate "a shocking condition of depravity existing, and notably in one of our police courts and of a character so startling as to appear almost incredible, involving no less a personage as our investigation disclosed, than a high official of that court, engaged in the most disreputable of practises, aiding crime, goin; upon the bail bond of criminals, dismissing of writs and otherwise dispos-ing of court business of the Judge before his coming upon the bench, and meeting the judicial protest at such infraction with the judicial protest at such intraction with contumacious contempt, ribald insult and otherwise prostituting his office with swash-buckler effrontery, so secure has he felt in the corruption of which he seems the luminous center."

The report expresses hope that the next Grand Jury will nab the unnamed offender.

It thanks Judge Aspinali for revealing to the jury "the withering evil of policy gambling that was spreading its poison tentacles over this fair borough, sapping the scanty savings of the lowly."

"The dragnet of your suggestion was well

rine dragnet of your suggestion was wen spread," says the presentment. "Not so much for capture of the minnows, but for those who sat aloft, higher up and whom we found, as you had said, basking in corruption and reaping the harvest fields of plunder stolen away from their miserable dupes. If we have a regret, it is that we cannot be of longer service to you in ferretcannot be of longer service to you in ferret-ing out what remains of those pariahs who stand for what there is of the gambling stain and oblequy fastened upon our city." In thanking the jury before it was dis-charged, Judge Aspinall said he had been told by a professional thief that the chances are 980 to 1 against the player in policy He assured the jurors that the money they drew for their services would be the best money the county ever paid out.

Italy's Option on the Railroads.

Special Cable Despatch to THE SUN. ROME, April 28 .- The Government's option on taking over the southern railroads will expire on May 20. The royal commis-sion will report not later than May 10 upon sion will report not later than May 10 the desirability of the terms proposed. commission is composed of Senators Co-lombo and Finali and Deputies Carmine and Guicciardini and other non-political

Story of Tripcii Lease Denied.

Special Cable Despatch to THE SUN. ROME, April 28. Telegrams exchanged between the Government and the Italian Ambassador at Constantinople prove that the story of the lease of Tripoli by Turkey to a French company was a fabrication, originating, it is said, in Germany. Two Deputies who are friendly to the Triple Alliance will question the Government in the Chamber upon the matter.

Special Cable Despatch to THE SUL TERAMO, Italy, April 28.-A pre-Roman necropolis has been discovered here. Many deletons have been unearthed, with objects of bronze, iron and clay.

Carnegle Gift to Women's College. PAINESVILLS, Ohio, April 28.-Andrew Carnegie has promised to give Lake Erie Carnegie has promised to give Lake Erie College here the sum of \$17.500 if a like amount is raised by the institution. The offer will be accepted. Col. Oliver Hazard Payne of Thomasville, Ga., to-day gave the college \$7.500 and H. M. Hanna of Cleveland, gave \$1.000. Lake Erie College is an institution for the education of young

SARGENT'S PORTRAIT OF THE MARLBOROUGHS NOTABLE.

Duchess Seems "Surprised and Sprightly Like a Pansy," While the Duke Looks Bored—Fewer Americans in the List of Exhibitors This Year Than Usual.

Special Cable Despotch to THE SUN. LONDON, April 28.—The 187th exhibition of the Royal Academy will open on Monday A crowded private view, which inaugurates the London season, was held to-day The Academicians and Associates appear to tess than the usual advantage. Sixteen of them are not represented, including Edwin Abbey, who is occupied with designs for Harrisburg, which are too large to be shown at the Academy. Outsiders are well up to the average, a feature being the large quantity of capable work sent by women. Good landscapes are numerous, but nothing promises to be the picture of the year, even among the Academicians.

Much scandal has been caused by some of the rejections. The directors of the New Gallery secured one rejected statue at the instance of Sir William Blake Richmond, R. A., and in that rival exhibition it meets extravagant praise from artists, critics and sculptors. The sculptor is Havard Thomas, an Englishman, living at Capri.

The exhibits number 1,832, as compared with 1,842 shown last year. There are fewer oils and more water colors. The largest canvas is thirty feet by twelve, which is shown by Mr. Herkomer. It contains thirty-three figures. It represents a session of the burghers of Landsberg. Pavaria. As a study of character it has interest, but the interest is far from being proportionate to its huge size.

Edward Poynter, president of the Royal Academy, sends a picture, a por-trait and two water colors, none remarkable. Luke Fildes's state portrait of the Queen occupies the place of honor. It is a somewhat perfunctory performance, and is a less satisfactory likeness than Mr. Abbey got in his coronation picture. Sir Laurence Alma-Tadema exhibits one of the largest pictures he ever painted. It is a six foot canvas depicting the finding of Moses by Pharaoh's daughter. It contains many figures, but there is no white marble nor traditional bulrushes. The picture is understood to be a £10,000 commission from Sir John Aird.

John S. Sargent contribues six portraits. the largest being a group of the Mari-borough family, the Duke and Duchess (Consuelo Vanderbilt) and their two sons They are represented at Blenheim Palace, standing at the head of some steps. Above them is a bust of the first Duke. The present Duke appears to have been supremely bored at having to be painted. The Duchese seems surprised and sprightly, like a pansy. The Marquis of Blandford looks good. and his brother, Lord Ivor Spencer-Churchill, mischievous. Two Blenheim spaniels are introduced in the canvas, which is twelve feet by eight.

Mr. Sargent's other portraits are those of the Countess of Warwick, Lady Helen Vincent, Miss Wertheimer, Manuel Garcia and Leon De La Fosse. James Shannon sends four portraits.

The other American exhibitors are Mark Fisher, Arthur Chaplin and C. W. Eaton, Fisher, Arthur Chaplin and C. W. Eaton, the number being fewer than usual.
Messrs. Shannon and Sargent each show three further portraits at the New Gallery.
Mr. Sargent's portrait of Sir Frank Swettenham is a remarkably fine work. The New Gallery exhibits number 565. They include striking jewelry designed by Lucien Gaillard of Paris.

PALMA STIRS UP CUBANS. On Obligation to Carry Out American Contract for Paving Havana.

Special Cable Despatch to THE SUN HAVANA, April 28.-President Palma today sent a message to Congress regarding the paving and sewering of Havana. He said, in substance, that it was the duty of as soon as the summer mining season opens the Government to call the attention of Congress to the matter, which was of serious importance, it being within Cuba's obligations to the United States.

He refers to the plan for paving and wering the city, which, besides being included in the fifth article of the Platt Amendment, was specifically mentioned in the letter of Governor General Wood of May 20, 1902, when he delivered the Government to the Cubans. President Palma added that the Washington Government had reminded the Cuban Government of this fact in terms showing that it was the desire of the Washington Government that the work be carried out.

Moreover, the American Government understood that the ciy had awarded the contract for the work to McGivney & Rokeby and that therefore they had an undoubted right to carry out the contract.

The President quoted from a note of Minister Squiers to the effect that the general agreement contained in the Platt amendment was made specific in regard to Havana, but as funds are required it is for the national Government to obtain the funds. In conclusion, President Palma said that whatever might be the import of the contract to the ayuntamiento and the contracting firm the obligation between Cuba and the United States remains, and he asked Congress to decide the matter with the necessary promptness.

The Senate referred the message to a comittee and decided to ask for copies of all of Min ster Squiers's notes on the matter. a copy of the contract and other details.

BRITISH AID FOR FRANCE. Mission to Fez Designed to Offset German Influence.

Special Cable Despatch to THE SUN. Paris, April 28.—The Tangier correspondent of the Echo de Paris says that the unexpecied news of the forthcoming visit to Fez of the British Minister at Tangier bas caused a sensation at Tangier. There is reason to believe that the attitude of Great Britain during the past month will result in the Sultan's accepting a large part of the

The Gaulois says that the aim of the British mission to Fez is to support the demands of France and check the efforts of Count von Tattenbach-Askold, the German chargé

program of reforms proposed by the French

LONDON, April 29 .- While the French are naturally pleased with the idea that Gerald Lowther, the British Minister to Morocco. is going to Fez, and are making capital from the fact, nothing can be learned here at present to indicate that his journey is for any other purpose than presenting his credentials on his appointment.

It is not, so far as known, in any sense a diplomatic mission nor apparently is it regarded so by Germany. Nevertheless, it may be pointed out that a new Minister at Tangier does not necessarily go to Fez to present his credentials. Mr. Lowther will start about a month hence.

Cardinal Ajuti Bend. Special Cable Despatch to THE SUN. ROME, April 28.-Cardinal Ajuti died to-day. His death makes the tenth vacancy in the Sacred College.

## AT NUMBER 400 FIFTH AVENUE

Our Opening on Next Monday

will introduce a strikingly novel plan of display, in a series of uniquely beautiful sales rooms that we very much desire you to come and see. We shall not ask you to buy.

We sell diamonds, jewels, wedding silver wares, cut glass, hall clocks, bronzes and bric-a-brac, and engrave wedding announcements, and society stationery.

MERMOD, JACCARD & KING JEWELRY CO. NEW YORK ST. LOUIS

NO GOVERNMENT RATE FIXING. Railroad Men Say It Would Encourage

Rebates Rather Than Prevent Them. Washington, April 28 .- The examination of General Freight Agent Lincoln of the Missouri Pacific system was continued by the Senate Committee of Interstate Commerce to-day. He was plied with questions regarding the operation of refrigerator car lines, during which it was developed that the Missouri Pacific system owned stock in the American Refrigerator Transit Company, which operated some 4,000 cars on that road and elsewhere. The Missouri Pacific, he said, fixed the freight charges on merchandise carried in refrigerator cars, while the transit company fixed the charges for icing.

Mr. Lincoln said he regarded the present Interstate Commerce law as ample, both as to rates and rebates. There was practically no giving of rebates now, he thought George R. Peck, general counsel of the Chicago, Milwaukee and St. Paul road was the next witness. Referring to the Esch-Townsend bill, which conferred the additional power of rate making on the Interstate Commerce Commission, he declared that the failure to carry out the present laws was due to loading down the commission with too many duties. Why, he asked, give it more? In his opinion, no additional legislation was needed. The principal evil, that of rebates or other principal evil, that of rebates or other discrimination, had practically ceased, according to the testimony of the roads, the shippers and of the commission itself. He said the railroads would welcome any legislation, criminal or remedial, which would in any degree make the payment of rebates more difficult and increase the certainty of detection and punishment. But substituting government made rates, in his opinion, would tend to encourage his opinion, would tend to encourage rebates, rather than to prevent them. He doubted the constitutionality of giving a commission power to fix rates. The rate aking power on any railway was the power commercial life and death. Under the of commercial life and death. Under the Constitution it was clearly a property right, protected by that instrument, and to take it away from the roads would be illegal.

Mr. Peck referred to the immense power the Esch-Townsend bill would confer on a small body of men—control of 215,000 miles of railway, more than the combined miles of

STRIKE AT FAIRBANKS P. O.

railroad men.

body of men combined mileage of all Europe and nearly half of that of the world. These five or seven men, too.

world. These five or seven men, too, would likely be lawyers, not practical

It Is a Thriving Gold Town Near the Center of Alaska and Less Than a Year Old. WASHINGTON, April 28.-The clerks in the post office at Fairbanks, Alaska, are on strike, and the postmaster is at his wits end to know how to handle the mail. Fairs banks is a new gold camp on the Tanana River, near the center of Alaska, named in honor of the vice-president of the United States. The post office was established less than a year ago and is necessarily of the fourth class, although the business of the office is large enough to place it in the Presidential class. Under the law, however, no Presidential office can be designated until it can be shown by a full year's business that the receipts have amounted to

at least \$1,900 within the year. There are about 3,000 people in Fairabnks, and the Post Office Department believes hat the number will be increased to 12,000 The postmaster gets no compensation, however, except from the sale of postage stamps, and not even all of these receipts can be retained by the postmaster. Yet it is necessary to maintain expensive quar-ters and a staft of clerks, and the citizens of the town are paying the lion's share of the post office expenses.

The clerks in the post office have refused

work any longer at their present wages for they can make better pay at placer mining. The Post Office Department is consider ng the situation, but no relief is in considering the situation, but he relief is in sight. An emergency appropriation will become available on July 1, but this is not large enough to afford adequate relief.

It is more than probable that the office will not be advanced at the end of the first year, on Oct. 1, and the situation will then be presented of a large and thriving town in the probable of the first year. with only a fourth class postoffice, and no provision for handling the mails except by the postmaster himself, whose compencannot be more than two or three

dollars a day.
A similar difficulty was recently encountered in the new gold camp at Goldfields, Nevada. At that place the situation was further complicated by the refusal of clerks to work for less than \$4 a day, the labor unions having decreed that no man in the camp should receive less in any capacity.

Ask New Trial for Mrs. Rogers. MONTPELIER, Vt., April 28.-Chief Judge John W. Rowell of Randolph and Second Associate Judge Loveland Munson of Manchester gave a hearing this evening on the petition for a new trial for Mrs. on the petitor of a many mary M. Rogers, now under sentence of death for the murder of Marcus Rogers, her husband. After considering the matter for half an hour Judges Rowell and Munson decided to wait until the first of next week. decided to before deciding whether or not the petition for a new trial shall be brought before the full bench of the Supreme Court at its May

Van Eiten Paintings Sold for Less Than \$10,000.

The sale of the paintings of the late Kruseman van Elten, N. A., was concluded last night at the American Art Galleries. The highest price of the evening was \$300, which was paid by R. N. Voorhis for a can-vas 12x19 entitled "Winter Afternoon." With the receipts from last night's sale the grand total for 200 paintings was \$9,334.50.

Sale of John R. Young's Oriental Ceramies. The collection of Oriental ceramics of the late John Russell Young, Minister to China from 1881 to 1885, was sold at auction yesterday afternoon at the American Art Galleries. The 175 articles brought \$2,985.50 S. P. Avery paid \$270, the highest price of the sale, for a pair of Chinese cloisonne vases of the Ch'ien-lung period.

May be hitting you Try leaving off COFFEE POSTUM 10 days and make sure.

### CAREDENOUGH TO DIE FOR HIM

GIRL TOLD OF ROUNDER'S DEATH TOOK POISON IN SALOON.

Bert Oakley Haunted the Place-No One Thought Anybody Cared About Him -Toothless Young Woman Took Toothache Drops, Though Only a Friend.

When Bert Oakley died in St, Vincent's Hospital two weeks ago, of meningitis, there was no particular sign that anybody about the Jefferson Market corner of old Greenwich Village cared particularly. He was one of the sort who are apt to hint mysteriously that if the bartender only knew who his people really were—and then with the appearance of one smothering fond recollections in oblivion he would order a drink for everybody.

Sometimes he rolled in wealth, as wealth is measured in the back rooms of Greenwich avenue saloons, and displayed as much as six dollars at a time. Oftener he counted out his 10 cents on the bar in pennies. When he died there seemed to be no one to whom his death brought great grief.

But yesterday it became apparent that there was. A girl, who didn't look much more than 20 years old, walked into the back room of the saloon where Oakley had spent most of his time and put her head through the door and asked the bartender if Oakley was around.

"Bert?" said the bartender, idly. "Why. ne died two weeks ago.

"Bert dead?" gasped the girl. "Not "Bert dead?" gasped the girl. "Not Bert Oakley?"
"Sure he is. Meningitis," said the bartender, not looking up from his polishing of the bar. The girl did not answer. He looked up and saw that she was leaning against the door frame, half fainting. He started to help her. She revived a little and ran into the back room again. When he reached her she had a two ounce bottle at her lips. The bartender snatched it away from her and roughly pushed her way from her and roughly pushed her

"What are you trying to do?" he growled.
"Let me slone." she wailed. "Let me "Let me alone," she walled. "Let me die." Then she slid from the chair to the floor. The bartender ran out and called a policeman, and an ambulance came over from St. Vincent's Hospital. It was said there that she might possibly recover, though the stuff which she had swallowed was a villainous mixture of laudanum and creosote intended for application for tooth-

ache.

Nothing about the girl revealed her name or where she lived. She had a complete set of false teeth. She had been seen with Bert Oakley once in a while within the last few months. Last night she revived sufficiently to say that she was Helen Lord, 25 years old. of 117 Bank street.

She said Oakley was only a friend of hers. She said Oakley was only a friend of hers. She was not in love with him. When asked why she took the poison, she replied that ahe took it because she had toothache. She then relapsed into unconsciousness.

BIGELOW LEAVES HIS HOME. Receiver Turns Him Out and He Goes to

Live With His Son. MILWAUKEE, April 28.-The Wisconsin Trust and Security Company, receiver for F. G. Bigelow, the defaulting First National Bank president, to-day took possession of the banker's home and turned him out. With only a few personal effects the defaulter and his family left for the home of his son, Gordon, where he is now sheltered in a modest two story frame cottage. Gordon during the last two days also gave up his brownstone front home

for a more humble house. John C. Brodhead arrived here from New York to-night to investigate his uncle's estate, of which Bigelow was trustee. Bigelow has confessed being \$100,000 short

It is now predicted that Bigelow will have a short trial. He has not retained a lawyer, and it is understood that he will plead guilty. The limit is ten years. He will not be tried until late in the fall. Mrs. Caroline Clarken, today, care refused to be interviewed Caroline Clarkson to-day came forward as a creditor. Her sons worked for Bigelow in his bank, and on their advice she let him have \$20,000. The entire amount was

squandered. A meeting of stockholders and directors of the First National Bank will be held next week, when successors to Bigelow and Goll will be chosen. Goll has not yet

en captured. Washington, April 28.—National Bank Examiner Bosworth telegraphed to the Comptroller of the Currency from Mil-waukee this morning that the run on the First National Bank has entirely subsided and no further trouble is feared. Mr. Bosworth added that the defalcation will not exceed published figures.

French Member of Panama Canal Board

of Engineers. WASHINGTON, April 28 .- M. Jusserand. the French Ambassador, to-day informed Secretary Taft that his Government had advised him of the selection of M. Cuerard, a French government engineer, to be a member of the Board of Consulting Engi-neers of the Panama Canal. The selection was made in accordance with a request from this Government. The Ambassador told Secretary Taft that M. Cuerard was one of the most prominent engineers of France. He has been in charge of the work on the Marseilles harbor.

Army and Navy Orders. WASHINGTON, April 28 .- These army orders were

issued to-day: Capt. Robert P. Johnston, Corps of Figincers, o Washington Barracks General Hospital for reatment.

Brig Gen. Aaron S. Doggett, retired, relieved from duty with Nebraska militia and will proceed to his home. ome.
William C. Borden, Surgeon, detailed to
it the Medical Department at meeting of
cristate National Guard Association at St. Major William C. Borden, Surgeon, detailed to represent the Medical bepartment at meeting of the Interstate National Guard Association at St. Paul, June 19. First Lieut. Douglas McCaskey, Fourth Cavalry, report to Brig. Gen. William S. McCaskey for ap-pointment and duty as alde de-camp on his staff. Chaplain Fdward J. Vattmann, detailed to Burcau of lusular Affairs.

These naval orders were issued: These naval orders were issued:

Commander A. Mertz, to navy yard, Norfolk,
Commander C. P. Fox, from navy yard, Norfolk,
to the lighthouse district, Detroit.

Commander A. Heynolds, from navy yard, League
Island, to command the Nevada.
Commander T. B. Howard, from command of the
Nevada to home and wait orders.
Lieutenant Commander W. H. Allderdice, to
Newport News for duty at Newport News Shipbuilding and Dry Dock Company as Inspector.

Lieut W. W. Bush, from the Marbichead to the
Lawion as executive officer.

Lieutes, G. G. Mitchell and W. Phelps, from
Naval Academy to the Chesspeake.

Commander F. W. Coffin, from Cavite station
to home. to home.
Lieutenant-Commander A. W. Grant, from command of the Frolic to home.
Lieutenant-Commander J. B. Blish, from Cavite station to command of the Frolic.
Lieutenant-Commander I. K. Seymour, from Cavite station to Yokobama Hospital for treat. Cavite station to Yokohama Hospital for treat-ment.

Selleut, N. E. Irwin, to command first torpedo ing itching, burning, scaly, crusted and belieut N. E. Irwin, to command first torpedo libtilla.

Lieut D. S. Desmukes, from command of the Callao to the Monadnock.

Lieut R. W. Henderson, from the Oregon to command of the Callao.

Passed Assistant Paymester P. R. Holt, from Cavite station to the Rainbew.

Stetson Hats

Three-Fifty

As light as a straw hat, the most comfortable derby in all the world is Stetson's flexible conforming. It is flexible, and it does absolutely conform to the head. And it wears well-better than any other derby of which we know at

The two models for which we stand sponsor - the Prince of Wales and the Herald Square-have established themselves in high favor. Both are high crown, flat brim derbies with English guards, eyelets and kindred kinks. In black or British tan, and the Prince in pearl as well,

Saks & Company Broadway, 33d to 34th St.

CARPET CLEANSING

THE THOS. J. STEWART CO.

B'way & 46in St. N. Y. Phone 376—38th.

Eric & 5th Sts. Jersey City.

STORAGE WAREHOUSE AND MOVING VANS.

Write or telephone for interesting booklet.

MEETING OF THE HIERARCHY. The Much Vexed Question of Church Music Will Be Discussed.

WASHINGTON, April 28.-A meeting of importance to the Roman Catholic Church will be held next Wednesday. Thursday and Friday at the Catholic University. R will be a meeting of the Hierarchy of the Catholic Church and the trustees of the Catholic University. The sessions will be presided over by Cardinal Gibbons, who is the ranking Archbishop, as well as the only American Cardinal. Matters of importance will be discussed, including the much vexed question of Church music, the finances of the university and the introduction of under-

graduate courses. In nearly every case the diocesan auhorities have outlined the theme which he various archbishops will present for djustment. Some of the archbishops adjustment. Some of the archbishops have found it easy to comply with the now famous order of the Pontiff on church music and the prohibition of mixed voices in choirs. In New York, in Philadelphia and in some parts of Boston and Chicago, the change has been radical from popular music to that prescribed by the Pope: Some of the others have asked for a modification of the rulings. In Baltimore the Cardinal has manifested some reluctance to the change, and the general outlook for the reformation of Church music will form an interesting theme for discussion between the prelates.

Auditor of Panama Canal.

WASHINGTON, April 28.—Chairman Shonts of the Panama Canal Commission has appointed E. S. Benson general auditor of Isthmian Canal affairs and of the Panama Railroad Company. Mr. Benson is a native of Massachusetts and commenced his railroad career on the Chicago, Burlington and Quincy in 1871. He was for iten auditor of the Oregon Railway and Naviga-tion Company, but more recently has been stationed at Houston, Tex., as auditor in general charge of the accounts of Southern Pacific lines east of El Paso.

New Postmaster at Fishers Island. WASHINGTON, April 28.-The President has appointed George B. Lane as post-master at Fishers Island, New York.

# **WOULD KICK** AND SCREAM

Baby's Awfu! Suffering from Eczema -Could Not Hold Her-Tore Face and Arms Almost to Pieces -Grateful Mother Says:

"CUTICURA REMEDIES SAVED HER LIFE"

"When my little girl was six months old, she had eczema. We had used cold creams and all kinds of remedies but nothing did her any good; in fact, she kept getting worse. I used to wrap her hands up, and when I would dress her. I had to put her on the table, for I could not hold her. She would kick and scream, and when she could, she would tear her face and arms almost to pieces. I used four boxes of Cuticura Ointment, two cakes of Cuticura Soap, and gave her the Cuticura Resolvent, and she was cured, see no traces of the humour left. I can truthfully say that they have saved her life, and I should advise any one suffering as she did, to give Cuticura a fair trial. Mrs. G. A. Conrad, Lisbon, N. H., Feb. 7, 1898.

# FIVE YEARS LATER

Mrs. Conrad Writes

"It is with pleasure that I can inform you that the cure has been permanent It is now six years since she was cured and there has been no return of the disease since. I have advised a lot of friends to use Cuticura in all diseases of the skin.

Instant relief and refreshing sleep for skin-tortured babies, and rest for tired, fretted mothers in warm baths with Cuticura Soap and gentle anointings with Cuticura Ointment, the great skin cure. This is the purest, sweetest, most speedy, permanent: and economi-